

In The Claims:

1. (Currently Amended) An electronic offer management system for electronic offer transactions, comprising:

receiving means for receiving information related to a plurality of electronic offers distributed by a plurality of [different] competitive offer distributors to customers for redemption at a plurality of stores;

routing means for automatically routing the information related to each offer to a point-of-sale system of each store in which the offer can be redeemed; and

clearing means for automatically clearing the offers redeemed by the customers at the stores[, whereby the offers are managed in a centralized manner through an entity different than the stores and the offer distributors].

2. (Original) The system of claim 1, further comprising settlement means for automatically reconciling financial obligations associated with each offer cleared by the clearing means, whereby a single, electronic audit of each offer transaction can be achieved.

3. (Original) The system of claim 1, wherein the clearing means comprises:

means for receiving redemption information from the stores; and

means for comparing the redemption information to the offer information whereby each offer redeemed by the customers can be validated.

4. (Original) The system of claim 1, wherein the plurality of offer distributors comprises at least one of an internet offer distributor, a retailer offer distributor, a kiosk offer distributor, a direct mail offer distributor, and an email offer distributor.

5. (Original) The system of claim 1, further comprising activation means for selectively activating and deactivating each offer.
6. (Original) The system of claim 1, further comprising profiling means for dynamically profiling the customers so that the offers can be targeted to specific customers.
7. (Previously Amended) The system of claim 1, wherein each offer corresponds to a reward, and wherein the system further comprises reward deferral means for deferring issuance of the reward to the customer.
8. (Original) The system of claim 1, further comprising offer consolidation means for consolidating the offers available through the system for presentation to the customer at a plurality of levels.
9. (Original) The system of claim 8, wherein the plurality of levels comprises at least one of an offer distributor level and a store level.
10. (Original) The system of claim 1, wherein the offer information comprises at least one condition and wherein the at least one condition is at least one of an item purchase condition, a department purchase condition, a total purchase condition, a time of day condition and a day of the week condition.
11. (Original) The system of claim 6, wherein the profiling means comprises at least one of a static profile, a persistent profile and a dynamic profile.
12. (Currently Amended) A method of electronic management of electronic offer transactions, comprising:

receiving information related to a plurality of electronic offers distributed by a plurality of [different] competitive offer distributors to customers for redemption at a plurality of stores;

automatically routing the information of each offer to a point-of-sale system of each store in which the offer can be redeemed; and

automatically clearing the offers redeemed by the customers at the stores[, whereby the offers are managed in a centralized manner through an entity different than the stores and the offer distributors].

13. (Original) The method of claim 12, further comprising the step of automatically reconciling financial obligations associated with each cleared offer whereby a single, electronic audit of each offer transaction can be achieved.

14. (Original) The method of claim 12 wherein the method further comprises the step of receiving redemption information from the stores, and comparing the redemption information to the offer information whereby each offer redeemed by the customers can be validated.

15. (Original) The method of claim 12, further comprising the step of selectively activating each offer.

16. (Previously Amended) The method of claim 12, wherein each offer corresponds to a reward, and wherein the method further comprises the step of deferring issuance of the reward to the customer.

17. (Original) The method of claim 12, further comprising the step of consolidating the offers for presentation to the customer at a plurality of levels.

18. (Original) The method of claim 17, wherein the plurality of levels comprises at least one of an offer distributor level and a store level.

19. (Original) The method of claim 12, further comprising the step of dynamically profiling the customers so that the offers can be targeted to specific customers.

20. (Original) The method of claim 12, wherein the offer information comprises at least one condition and wherein the at least one condition is at least one of an item purchase condition, a department purchase condition, a time of day condition and a day of the week condition.

21. (Currently Amended) An electronic network for managing electronic offer transactions, the network comprising:

one or more maintenance files, each maintenance file including one or more distributed electronic offers, and each distributed offer having at least one offer property, at least one condition, and at least one reward;

a router to distribute the one or more distributed offers to one or more point-of-sale systems for redemption;

a transaction log file received from one of the point-of-sale systems, the transaction log file including one or more redeemed offers; and

a server to clear one or more offers being redeemed by a customer with the one or more distributed offers[, whereby the offers are managed in a centralized manner through an entity different than the stores and the offer distributors].

22. (Original) A network as set forth in claim 21 wherein the server is operable to receive the one or more distributed offers from one or more distributors, and to create the one or more maintenance files having the one or more distributed offers.

23. (Original) A network as set forth in claim 22 wherein the server is further operable to authenticate that each distributed offer has a valid format.
24. (Original) A network as set forth in claim 21 wherein the network includes a database, and wherein the one or more maintenance files are stored in the database.
25. (Original) A network as set forth in claim 24 wherein one or more aspects of the database are viewable by a consumer via a browser interface.
26. (Original) A network as set forth in claim 24 wherein one or more aspects of the database are viewable by a consumer via a kiosk.
27. (Original) A network as set forth in claim 21 wherein the server includes the router.
28. (Original) A network as set forth in claim 21 wherein each distributed offer further includes a unique reference code.
29. (Original) A network as set forth in claim 21 wherein each distributed offer further includes an identity of the distributor.
30. (Original) A network as set forth in claim 21 wherein the distributed offer is a consumer-specific distributed offer.
31. (Original) A network as set forth in claim 21 wherein the server clears the one or more redeemed offers with the one or more distributed offers by being operable to prepare one or more settlement details.
32. (Previously Amended) A network as set forth in claim 31, wherein the at least one reward includes a deferred award.
33. (Previously Amended) A network as set forth in claim 32, wherein the deferred award is an award for the customer.

34. (Original) A network as set forth in claim 31 wherein the server is further operable to communicate the one or more settlement details to a settlement agent.
35. (Original) A network as set forth in claim 21 wherein the server is further operable to accrue data relating to the redeemed offers, and to profile the accrued data.
36. (Original) A network as set forth in claim 35 wherein the server is further operable to communicate the profile to the one or more distributors.
37. (Original) A network as set forth in claim 35 wherein the profile is selected from the group of a static profile, a persistent profile, and a dynamic profile.
38. (Original) A network as set forth in claim 21 wherein the at least one offer property includes whether the offer is open to the public.
39. (Original) A network as set forth in claim 21 wherein the at least one offer property includes whether the offer is being offered by a vendor or a store.
40. (Original) A network as set forth in claim 21 wherein the at least one offer property includes the maximum number of times the offer may be used by a consumer per transaction.
41. (Original) A network as set forth in claim 21 wherein the at least one offer property includes the maximum number of times the offer may be used by a consumer across transactions.
42. (Original) A network as set forth in claim 21 wherein the at least one offer property includes the date and time when the offer becomes active.
43. (Original) A network as set forth in claim 21 wherein the at least one offer property includes the date and time when the offer becomes inactive.

44. (Original) A network as set forth in claim 21 wherein the at least one offer property includes a text description of the offer.
45. (Original) A network as set forth in claim 21 wherein the at least one offer property includes the unique number used to identify a sponsor of each offer.
46. (Original) A network as set forth in claim 21 wherein the at least one offer property includes whether a reward is to be received in the future.
47. (Original) A network as set forth in claim 21 wherein the at least one condition includes one or more items that must be purchased.
48. (Original) A network as set forth in claim 47 wherein the at least one condition includes the one or more departments from which each of the one or more items must be purchased.
49. (Original) A network as set forth in claim 21 wherein the at least one condition includes the amount of total purchases required.
50. (Original) A network as set forth in claim 21 wherein the at least one condition includes the one or more days the offer may be redeemed.
51. (Original) A network as set forth in claim 21 wherein the at least one condition is selected from the group of an item purchase condition, a department purchase condition, a total purchase condition, a time of day condition, and a day of week condition.
52. (Original) A network as set forth in claim 21 wherein the at least one reward is selected from the group of an item discount reward, a department discount award, a total discount award, a free item reward, and a replacement price reward.

53. (Currently Amended) A method of electronically managing electronic offer transactions, the method comprising:

electronically receiving an electronic offer from [a] an offer distributor, the offer having at least one offer property, at least one condition, and at least one reward;

storing the offer;

electronically distributing the offer to a point-of-sale system of a store in which the offer can be redeemed;

electronically receiving a redeemed offer from the point-of-sale system; and

comparing the redeemed offer with the stored offer[, wherein the entity receiving the offer is different than the store and the distributor].

54. (Original) A method as set forth in claim 53 and further comprising authenticating the received offer from the distributor.

55. (Original) A method as set forth in claim 53 and further comprising viewing the stored offer via a browser interface.

56. (Original) A method as set forth in claim 53 and further comprising viewing the stored offer via a kiosk.

57. (Original) A method as set forth in claim 53 and further comprising:

creating one or more settlement details using information from the redeemed offer; and

electronically transmitting the one or more settlement details to a settlement agent.

58. (Original) A method as set forth in claim 53 and further comprising:

accruing data relating to the redeemed offer; and

profiling the accrued data.

59. (Original) A method as set forth in claim 58 wherein the profile is selected from the group of a static profile, a persistent profile, and a dynamic profile.

60. (Original) A method as set forth in claim 53 wherein the offer is a consumer-specific offer.

61. (New) An electronic offer management system for electronic offer transactions, comprising:

an electronic offer intake interface adapted to electronically process a plurality of electronic offers from a plurality of competitive offer distributors, the interface comprising

receiving means for receiving information related to the plurality of electronic offers distributed by the plurality of competitive offer distributors to customers for redemption at a plurality of stores;

routing means for automatically routing the information related to each electronic offer to a point-of-sale system of each store in which the offer can be redeemed; and

clearing means for automatically clearing the electronic offers redeemed by the customers at the stores.

Upon entry of the foregoing amendment, claims 1-61 are pending in the application. Claims 1-60 are existing and claim 61 is new.

The Examiner rejected claims 1-42, 44-47 and 50-60 under 35 USC Section 103(a) as being unpatentable over Engle et al (U.S. Patent No. 5,907,830) in view of Kepecs (U. S. Patent No. 6,009,411). We disagree with the Examining Attorney for the reasons set forth below.

As Applicant indicated to the Examining Attorney in connection with a telephone interview conducted on February 24, 2005, a summary of which is enclosed, we believe it is helpful to first go over the terminology used in connection with this application and the "offer world" in general. There are essentially three key components of any offer; namely the sponsor, the offer distributor and the distribution medium. The "sponsor" is the advertising entity absorbing the cost of the promotional offer. Typically, this is a Consumer Packaged Goods (CPG) company such as Kraft, Procter & Gamble, Unilever, General Mills, or Nestle, or a retailer. The "offer distributor" is the entity responsible for presentation of the offer to the consumer. They usually make use of a single distribution medium, and typically have a sales force that calls on offer sponsors. Examples of offer distributors include Valassis, Catalina Marketing, News America Marketing, CoolSavings.com, and Leverage-Point Media. The "distribution medium" is the communication channel by which the consumer is presented with an offer (e.g., Sunday-paper inserts containing many CPG-brands paper coupons, in-lane printer, direct mail, email, web browser, in-store kiosk, on-cart shopping device, interactive TV, etc.).

In addition, it is important to distinguish between the processing of paper-based promotional coupons or offers, and the processes required to manage electronic offers. Insofar as a retailer is concerned, there is essentially no difference in handling paper coupons distributed by one offer distributor as compared to another distributor. This is largely due to the long standing existence of standards for coupon coding and the fact that audit and clearing of paper offers takes place offline in manual processing centers, avoiding impact to a retailer's Point-of-Sale (POS) system. However, in the case of electronic offers, coding standards do not exist and significant differences and incompatibilities exist between the systems contemplated by different electronic offer distributors. A retailer's POS system must therefore be customized in order to process electronic offers and the current lack of standards makes the accommodation of more than one electronic offer execution system practically impossible. Applicant's invention streamlines the POS integration process by eliminating the need for such customization at the POS level for each electronic offer execution system.

Applicant has amended claims 1, 12, 21 and 53 to positively recite "electronic" offers which are not disclosed, taught or suggested by Engel. Applicant had also amended these claims to positively recite that the offer distributors are competitive. The system disclosed and taught in Kepecs is concerned only with the execution of offers from a single offer distributor. In other words, it is a "closed" system and as such, cannot simultaneously accept, process or manage electronic offers from different offer distributors. As a result, in a "Kepecs" world, retailers are forced to bear the cost and resource drain necessary to integrate and support each offer distributor, separately, with no benefit of a single open network of multiple competitive offer distributors.

This lack of openness makes it practically impossible for competitive offer distributors to co-exist and be made available to retail marketers, thereby severely limiting consumer promotion options.

Unlike Kepecs, Applicant's system provides the ability for a given retailer's POS system to electronically and simultaneously accommodate and support offers from a plurality of competitive offer distributors in the same retailer operations and POS system, along with the infrastructure necessary to do so. This functionality is extremely important given that revenues associated with offer distribution are approximately ten times those associated with offer clearance and offer settlement. It is exactly for this reason that Kepecs as well as all other existing offer distribution systems teach away from an open system.

As was discussed during the February 25th telephone interview, Applicant's system can be analogized to credit card swipe and reading terminals one finds at the check out lane in grocery stores. Like Applicant's system, credit card terminals are not limited to a single credit card company or financial institution. Rather, they support credit cards from a plurality of different credit card companies and financial institutions. Otherwise, separate terminals would need to be provided for each credit card company or financial institution from which the retailer desired to accept payment. Such a configuration would not only be impractical given physical restraints, but providing separate, non-standardized and closed execution platforms for each such credit card company or financial institution would be cost prohibitive. Applicant's system provides an open network, supporting a plurality of consumer marketing and media channels (e.g., sponsors and offer distributors) through a single platform

integrated with the POS systems of multiple retailers. In light of the foregoing and in light if the amendments to claims 1, 12 21 and 53, Applicant respectfully submits that existing claims 1-42, 44-47, 50-60 and new claim 61 are patentable over Engel and Kepecs.

The Examining Attorney has also objected to claims 43 and 48 as being unpatentable over Engel in view of Scroggie et al (U.S. Patent No. 5,970,469). Claims 43 and 48 depend from claim 21. Therefore, for the reasons set forth above, Applicant submits that the Examining Attorney's objection is unfounded and respectfully requests withdrawal of this rejection.

The Examining Attorney has also objected to claim 49 as being unpatentable over Engel in view of Off et al (U.S. Patent No. 5,612,868). Claim 49 depends from claim 21. Therefore, for the reasons set forth above, Applicant submits that the Examining Attorney's objection is unfounded and respectfully requests withdrawal of this rejection.

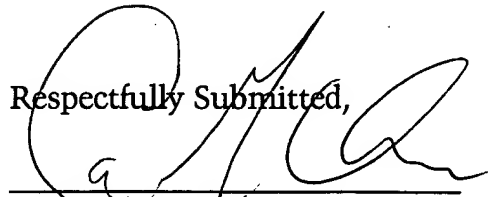
Finally, the Examining Attorney has objected to the disclosure and the drawings since the system 10 does not appear in the drawings. Applicant has revised Figure 1 to include system 10.

For the reasons set forth above, Applicant respectfully submits that claims 1-61 are allowable over the prior art of record. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and as such, the present application is condition for allowance. If the Examiner believes for any reason that personal communication would

expedite prosecution of this application, he is invited to telephone the undersigned at the number below.

Prompt and favorable consideration of this Amendment and remarks is respectfully requested.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Caroline G. Chicoine', written over a horizontal line.

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Enclosures